

Magistrate Judge Sanket J. Bulsara
United States District Court
Eastern District of New York
255 Cadman Plaza East
Brooklyn, NY 11201

Via ECF & Email

May 31, 2024

ROGER BURLINGAME
Partner

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Re: *United States v. Trevor Page*, 21 CR 517 (KAM) (RLM)

Dear Judge Bulsara,

With sincere apologies for the delay, the parties in the above-captioned matter respectfully write in response to Your Honor's request for authority supporting the Court's warning to the defendant's UK-based suretors that the government could seek to enforce the bond against them and that this could cause financial consequences. May 21, 2024 Tr. at 38:5-9, 40:4-6, 42:3-6.

To enforce the bond against UK suretors, the Government would first need to obtain a judgment against them pursuant to Rule 46(f) of the Federal Rules of Criminal Procedure. The Government could then initiate a cause of action against the suretors in English court. English Courts will enforce a foreign judgment if (1) it is a judgment of a court; (2) it is final and conclusive; (3) it is for a sum of money; and (4) the debtor is subject to the jurisdiction of the foreign court. Lord Collins of Mapesbury et al., The Conflict of Laws 724 (16th ed. 2023). English courts do not require re-litigation of the matter on the merits and usually issue summary judgments in such cases. See e.g., *Superior Composite Structures LLC v Parrish*, EWHC 3688 (QB) (2015) ("A foreign judgment for a definite sum, which is final and conclusive on the merits, is enforceable by claim and is unimpeachable (as to the matters adjudicated on) for error of law or fact").

In addition to this direct threat of judgment enforcement, the suretors would of course also face the collateral consequences of having a large U.S. judgment against them.

Respectfully submitted,



Roger A. Burlingame

cc: Judge Kiyo A. Matsumoto (via ECF & email)
Magistrate Judge Roanne L. Mann (via ECF & email)
AUSAs Hiral Mehta & Dylan Stern (via ECF & email)